

Olympics Comments at 1. Specifically, HSE produces a two-hour program each year featuring the Summer Games and airs the program several times during the year. According to Special Olympics, HSE's coverage has increased "public awareness of the Special Olympics and recognition of the athletic achievements of the participants...improved our recruitment of corporate sponsors...[and] allowed participants to see themselves in competition, rewarding their efforts and motivating them to continue to improve their athletic skills." Id. at 2.

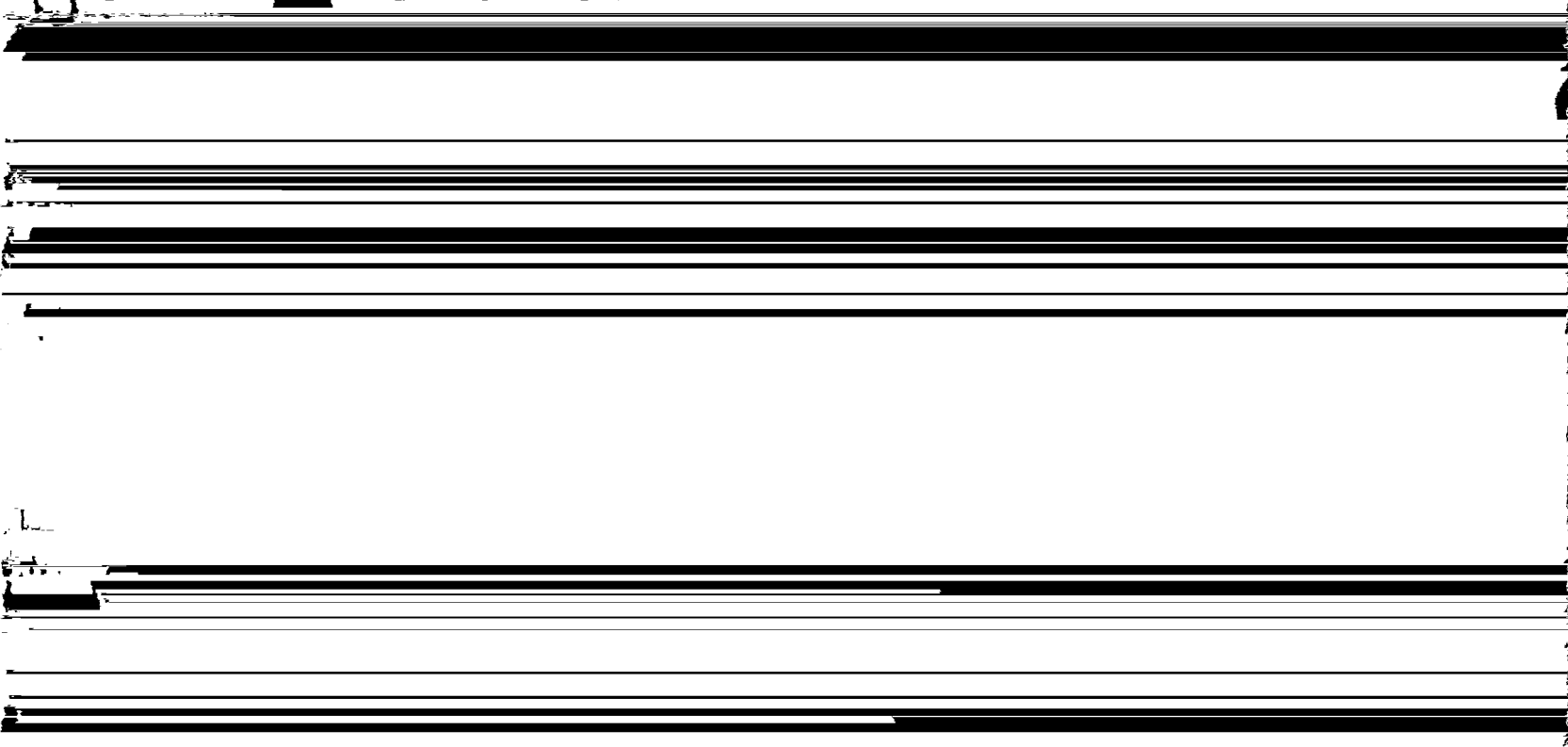
Likewise, HSE has provided live coverage of the Texas state high school finals in football, boys' basketball and baseball, and highlight coverage of the state track and field championships. Comments of University Inter-Scholastic League ("UIL") at 2. Broadcasters had "expressed no interest in televising such games even when the UIL offered to make them available for broadcast free of charge." Id. Coverage of such events clearly serves the public interest. See United States v. Midwest Video Corp., 406 U.S. 649, 668-69, (1972), quoting National Broadcasting Co. v. United States, 319 U.S. 190, 203 (1943).⁸

⁸ WCA seeks to discount the demonstrated public interest benefits of local sports programming originated by regional networks, claiming that "consumers have paid an unnecessarily high price for that programming." WCA Comments at 3-4. Similarly, United Video attempts to differentiate between superstation and regional cable sports network carriage of sports programming based on one particular cable operator's decision to carry a regional sports network a la carte. Comments of United Video, Inc. at 4-5 (comparing monthly a la carte charge

Finally, the record confirms that regional sports networks produce substantial quantities of locally originated programming in addition to their coverage of local sports events. See MSGN Comments at 20 (25 percent of the total programming carried by MSGN "is sports news and commentary locally produced" by MSGN). Such programming is consistent with the "substantial government interest" in ensuring continued local origination of programming. See 1992 Cable Act §2(a)(10).

Conclusion

The record clearly establishes that the output and diversity of sports programming has increased substantially. No significant "migration" of sports programming from broad-



quently, the Commission's interim report to Congress should not recommend sports programming legislation of any kind.

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Respectfully submitted,

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